

## AMENDMENT

Amend the application, without prejudice, as follows:

### In the claims:

The following listing of claims replaces all prior amendments and listings:

1-38 (Cancelled)

39. (Currently Amended) A body protecting device for wearing by a user comprising:

a panel, the panel having

an outer surface and an inner surface; and

an array of energy absorbing cells extending between the inner and outer surfaces,

wherein each cell—~~comprises~~ is a discrete tube, ~~and—wherein~~  
~~substantially~~

with each discrete tube having a side wall which is connected to, and  
the side wall of each discrete tube contacting and being supported by  
the side wall of at least another discrete tube substantially along the length of the tube, ~~and~~  
wherein ~~substantially~~ each discrete tube has a tube axis extending ~~from~~  
substantially orthogonal to the outer surface ~~towards~~ and the inner surface, ~~such that and~~  
wherein the orientation of each tube is substantially maintained when a load is  
applied to the outer surface.

40. (Currently Amended) A body protecting device as claimed in ~~Claim 39~~ claims 42 or 43, wherein ~~the tube has each discrete tube has~~ a cylindrical or conical structure.

41. (Currently Amended) A body protecting device as claimed in ~~Claim 39 or 40~~  
claim 39, wherein the body protecting device comprises a safety helmet.

42. (Currently Amended) A body protecting device as claimed in ~~any preceding~~  
claim 39, wherein substantially each discrete tube has a side wall which is connected to the side  
wall of at least another discrete tube by an adhesive.

43. (Currently Amended) A body protecting device as claimed in ~~any of Claims 39~~  
~~to 41~~ claim 39, wherein substantially each discrete tube has a side wall which is welded or fused  
to the side wall of at least another discrete tube.

44. (Currently Amended) A body protecting device as claimed in Claim 43 claims 42 or 43, wherein one or more discrete tubes are formed from an inner core comprising a first material and an outer core comprising a second material.

45. (Previously Presented) A body protecting device as claimed in claim 44, wherein the second material has a lower melting temperature than the first material.

46. (Currently Amended) A body protecting device as claimed in ~~any-preceding claim claims 39, 42 or 43~~, wherein substantially each discrete tube is connected to at least three other discrete tubes.

47. (Currently Amended) A body protecting device as claimed in ~~any-preceding claim claims 39, 42 or 43~~, wherein substantially each discrete tube is connected to six other discrete tubes.

48. (Currently Amended) A body protecting device as claimed in ~~any-preceding claim 39~~, wherein each discrete tube has a diameter of between 2 and 8 mm.

49. (Currently Amended) A body protecting device as claimed in ~~any-preceding claim 39~~, wherein each discrete tube has a diameter of about 6 mm.

50. (Currently Amended) A body protecting device as claimed in ~~any-preceding claim 39~~, wherein the thickness of the side wall of each discrete tube is less than 0.5 mm.

51. (Currently Amended) A body protecting device as claimed in ~~any-preceding claim 39~~, wherein the thickness of the side wall of each discrete tube is between 0.1 and 0.3 mm.

52. (Currently Amended) A body protecting device as claimed in ~~any-preceding claim 39~~, wherein the length of each discrete tube is less than 50 mm.

53. (Currently Amended) A body protecting device as claimed in ~~any-preceding claim 39~~, wherein the length of each discrete tube is between 30 and 40 mm.

54. (Currently Amended) A body protecting device as claimed in ~~any-preceding claim 39~~, wherein the array of energy absorbing cells is provided as an integral material.

55. (Currently Amended) A body protecting device for wearing by a user and having a curvature therein comprising:

a first material having an array of energy absorbing cells, each cell comprising a discrete tube, bonded by thermoforming to

a second material being a plastics material,

the first material being bonded to the second material using an adhesive,

wherein the adhesive has a melt temperature ~~which is~~ lower than the melt temperature of the first and second ~~[[material]]~~ materials to allow relative movement between the first and second materials during thermoforming of a curvature within the materials.

56. (Previously Presented) The body protecting device of claim 55, wherein the first and second materials are in a softened state at the melt temperature of the adhesive.

57. (Currently Amended) The body protecting device of ~~Claim 55 or 56~~ claim 55, wherein the first material is one of a polycarbonate, polypropylene, polyetherimide, polyethersulphone or polyphenylsulphone material.

58. (Cancelled)

59. (Currently Amended) The body protecting device of ~~[[Claim 58]]~~ claim 55 wherein the second material is a ~~[[fibre]]~~ fiber reinforced plastics material.

60. (Currently Amended) The body protecting device of ~~any of Claims 55 to 59~~ claim 55, wherein the adhesive is a thermoplastic.

61. (Currently Amended) The body protecting device of ~~[[Claim 60]]~~ claim 55, wherein the adhesive is a polyester based material.

62. (Currently Amended) The body protecting device of any of claims 55, 56, 57, 59, 60 or [[to]] 61, wherein the melt temperature of the adhesive is less than 180°C.

63. (Previously Presented) The body protecting device of claim 62, wherein the melt temperature of the adhesive is between 120°C and 140°C.

64. (Currently Amended) The body protecting device of claim 63, wherein the ~~body protecting device is~~ the first and second materials are heated during forming to between 155°C and 160°C.

65. (Currently Amended) The body protecting device of ~~any of Claims 55 to 64~~ claim 55, further comprising a third material, wherein the first material interposes the second and third materials, and wherein the first material is bonded to the third material using the adhesive.

66. (Cancelled)

67. (Currently Amended) A method of forming a body protecting device for wearing by a user and having a curvature, comprising the steps of:

providing a first material having an array of energy absorbing cells, each cell comprising a discrete tube,

providing a second material being a plastics material,

bonding a first material to a second material using an adhesive,

wherein the adhesive has a melt temperature which is lower than the melt temperature of the first and second ~~[[material]]~~ materials, and

thermoforming a curvature in the second material and allowing for relative movement between the first and second materials during the thermoform heating.

68. (Currently Amended) The method of claim 67, including selecting wherein the first and second materials ~~which~~ are in a softened state at the melt temperature of the first material adhesive.

69. (Currently Amended) The method of claim 67 or 68, including further comprising heating the ~~body protecting device during forming~~ first and second materials to between 155°C and 160°C.

70. (Currently Amended) The method of any of Claims 67 to 69, including claims 67 or 68, further comprising the step of bonding the first material to a third material using the adhesive.

71. (Cancelled)